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Army Public Affairs

Unit Membership in Non-Federal Entities

For the Commander:

WANDA E. WILSON
Colonel, GS
Chief of Staff

Official:

ROGER H. BALABAN
Director, Information Management

History. This UPDATE printing publishes a new Change 2, which is effective 31 October 2002. The strikethrough and underscore method has been used to highlight changes.

Summary. This regulation prescribes policies and procedures governing United States Army Recruiting Command unit membership in non-

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Appendix A. Restrictions on Participation in Activities of Non-Federal Entities

1. Purpose

This regulation prescribes policies and procedures governing United States Army Recruiting Command (USAREC) unit membership in non-Federal entities at Government expense in furtherance of recruiting mission purposes.

2. References

- a. Related publications.
 - (1) AR 360-1 (The Army Public Affairs Program).
 - (2) DOD 5500.7-R (Joint Ethics Regulation).
- b. Required forms.
 - (1) USAREC Form 1197 (Request for Unit Membership in Non-Federal Entity).
 - (2) USAREC Form 1198 (Membership Log).

3. Explanation of abbreviations and terms

- a. Abbreviations.
 - (1) AMEDD Det—Army Medical Department detachment
 - (2) HQ USAREC—Headquarters, United States Army Recruiting Command
 - (3) IMPAC—International Merchant Purchase Authorization Card
 - (4) Rctg Bde—recruiting brigade
 - (5) Rctg Bn—recruiting battalion
 - (6) USAREC—United States Army Recruit-

Federal entities at Government expense in furtherance of recruiting mission purposes.

Applicability. This regulation is applicable to all elements of this command.

Proponent and exception authority. The proponent of this regulation is the Director of Advertising and Public Affairs. The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. Proponent may delegate the approval authority, in writing, to a division chief within the proponent agency in the grade of GS-13.

Army management control process. This regulation contains management control provisions in accordance with AR 11-2 but does not identify key management controls that must be

ing Command

b. Terms.

(1) Non-Federal entity. This is a general term which includes (but is not limited to) non-Government or private societies, associations, and organizations.

NOTE: For the purpose of this regulation, the term "non-Federal entity" does not include religious groups, sectarian groups, fraternal organizations, and quasi-religious, or ideological movements or organizations. See detailed guidance at appendix A.

(2) USAREC unit membership. A USAREC unit membership is one in which the USAREC unit holds the membership but where the unit commander or a person he or she designates serves to represent the unit's interest or presence at participative activities.

4. Policy

a. Section 5946, title 5, United States Code (5 USC 5946), precludes the use of appropriated funds to pay a membership fee or dues of any military person or civilian employee of the Government except as authorized by express statutory authority. Thus, none of the appropriated funds provided to this command, including funds for reimbursement of recruiters for out-of-pocket expenses, can be used to pay for memberships in non-Federal entities in the name of or for the benefit of any individual.

b. The Comptroller General of the United States has held that 5 USC 5946 does not prohibit a Federal agency from joining a society or association in its own name so long as the primary benefit of the membership accrues to the agency and the agency determines that its membership in a particular organization is necessary to carry out its functions (volume 61, Decision of the Comptroller General, 1982, p. 541).

evaluated.

Supplementation. Supplementation of this regulation is prohibited.

Suggested improvements. The proponent agency of this regulation is the Office of the Director of Advertising and Public Affairs. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQ USAREC (RCAPA-PA), Fort Knox, KY 40121-2726.

Distribution. Distribution of this regulation has been made in accordance with USAREC Pam 25-30, distribution C. This regulation is published in the Recruiting Brigade and Battalion Operations UPDATE.

c. USAREC unit membership in non-Federal entities, as defined in paragraph 3, will be procured in the name of the Army for a recruiting station, recruiting company, recruiting battalion (Rctg Bn), Army Medical Department detachment, or recruiting brigade (Rctg Bde). Memberships in non-Federal entities will be utilized as a vehicle to place USAREC personnel in contact with important members of the community in which they work. People such as business persons, teachers, doctors, lawyers, religious leaders, and others from various local activities are prime examples. These memberships provide opportunities for USAREC members to concentrate contacts with centers of influence and enhance their position within the community. These individuals serve to place USAREC personnel in contact with prospects.

d. The use of appropriated funds for membership in a non-Federal entity that excludes persons from its membership or functions because of race, color, or national origin is prohibited.

e. For non-Federal entities that limit membership based on gender, consult Headquarters, United States Army Recruiting Command (HQ USAREC), Advertising and Public Affairs Directorate, Public Affairs Division, for guidance on whether such membership is authorized. The Staff Judge Advocate will provide guidance to HQ USAREC (RCAPA-PA) in making such determination.

f. Commanders at all levels must realize that membership in associations in the name of the USAREC unit commits the participating USAREC representative to support that association. Commanders and participants must constantly assess whether the value of time spent by recruiters attending non-Federal entity activities might be spent more productively

*This regulation supersedes USAREC Regulation 360-12, 30 May 1991.

in other areas of mission accomplishment.

g. If membership in a non-Federal entity is procured in the name of the USAREC unit, it is the Army which is to be represented, not the individual recruiter. Therefore, the USAREC unit member must avoid:

- (1) Honorary memberships.
 - (2) Allowing the use of the name of the Army to imply sponsorship of any association.
 - (3) Participation in the management and control of any association by accepting an office in the association.
 - (4) Participation in the policy-making of non-Federal entities, particularly in such a manner as to suggest compliance by the recruiting element represented or by Department of the Army.
- h. No membership will be taken in a politically active organization.
- i. When doubt exists as to the appropriateness of procuring a non-Federal entity membership, HQ USAREC (RCAPA-PA), Fort Knox, KY 40121-2726, will be contacted for approval before the membership is purchased. The Staff Judge Advocate will provide guidance to the Advertising and Public Affairs Directorate, Public Affairs Division, in making such determinations.
- j. Only one USAREC unit membership may be purchased per branch or chapter of each local organization.

5. Responsibilities

- a. Director of Advertising and Public Affairs is assigned overall responsibility for the non-Federal entity membership program within the command.
- b. ~~United States Army Recruiting Support Brigade, Logistics Support Center, Resource and Logistics Management Directorate~~ is responsible for providing appropriate guidance for subordinate elements as to procedures for procurement of memberships.
- c. Rctg Bde commanders are responsible for monitoring the non-Federal entities membership program within their commands.
- d. Rctg Bn commanders and AMEDD Det commanders will review and approve all non-Federal entity memberships procured within their commands.
- e. Rctg Bde and Rctg Bn advertising and public affairs will monitor and track this program. USAREC Form 1197 (Request for Unit Membership in Non-Federal Entity) (fig 1) will be forwarded to them for review and recommendation for commander approval. USAREC Form 1198 (Membership Log) (fig 2) will be used to track unit memberships at Rctg Bdes, Rctg Bns, and AMEDD Dets.

6. Procedures

- a. Fiscal.
- (1) Resource requirements for non-Federal entity memberships will be budgeted for in Planning, Programming Budget Execution System and specific dollar guidance will be provided in the budget guidance.
- (2) Funds allocated may be spent as deemed appropriate by the commander so long as funds are available. Within the funds available, a recruiting element may join more than one association in the name of the Army, but may not purchase more than one membership in the same association.

(3) Expenditure for non-Federal entity memberships will be charged against program 331711.0026, element of resource 252G, ~~of 26RB accounting processing code **SQ~~, if purchased with a convenience check or Government purchase card. Under no circumstances will ~~advertising funds or~~ recruiter expense allowance (out-of-pocket) be used for memberships in non-Federal entities.

(4) Memberships must be obtained exclusive of meals, and the individual members representing the recruiting element may request reimbursement as out-of-pocket expenses for meals. Meal expenses must be under the per diem rate for the area and should show good judgment.

(5) Membership fees cannot cover additional benefits, such as participation in health clubs, that can be separated from the basic membership cost.

b. Procurement. Membership under \$2,500 will be contracted by the Rctg Bde, Rctg Bn, or AMEDD Det International Merchant Purchase Authorization Card (IMPAC) cardholder. The membership fees will be paid by the IMPAC purchase card or IMPAC convenience check. Rctg Bdes, Rctg Bns, and AMEDD Dets will submit purchase requests to their supporting contracting offices for all memberships over \$2,500. The authority cited on the purchase request should read USAREC Reg 360-12.

c. Membership requests. Units requesting memberships will submit USAREC Form 1197 through the chain of command to the Rctg Bn or Rctg Bde advertising and public affairs office. The Rctg Bn or Rctg Bde advertising and public affairs office will forward the request to the Rctg Bde or Rctg Bn commander with a recommendation for approval or disapproval. The Rctg Bde or Rctg Bn commander will approve or disapprove the request. Requests for memberships at HQ USAREC will be submitted to Advertising and Public Affairs Directorate, Public Affairs Division, to be forwarded for Commanding General approval.

d. Recordkeeping and reporting. Records of unit memberships will be maintained on USAREC Form 1198. Reports will be submitted through advertising and public affairs channels to HQ USAREC (RCAPA-PA) on a quarterly basis. Reports are due by the 15th of the month following the end of the quarter.

Request for Unit Membership in Non-Federal Entity (For use of this form see USAREC Reg 360-12)	
Unit requesting membership: Macon Recruiting Company	
Name of association: Greater Macon Chamber of Commerce	
Type of association: Chamber of Commerce	
Anticipated benefits of membership: Membership will enable CLT and RS personnel to meet with local COI and participate in Chamber of Commerce activities.	
Term of membership: 1 year	
Cost of membership: \$50.00	
Will association accept credit card? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Point of contract, address, and telephone number of association: Macon Chamber of Commerce ATTN: Mr. Douglas Smith 305 Coliseum Drive Macon, GA 31202-0169 (912) 741-8000	
Advertising and Public Affairs Recommendation: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove	
Commander: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove	
Commander's Signature: /signed/	Date: 21 Jun 2000

USAREC Form 1197, 1 Jul 2000

Figure 1. Sample of a completed USAREC Form 1197

Appendix A
Restrictions on Participation in Activities
of Non-Federal Entities

A-1. Army participation in events or activities of non-Federal entities must:

- a. Benefit the accomplishment of authorized activities of that military unit, such as recruiting.
- b. Not support or appear to endorse the goals of any particular person, group, commercial venture, corporation (profit or nonprofit); religious, sectarian, or ideological group or movement; fraternal organization; or political organization.
- c. Not otherwise be selective, that is, provide support the Army could or would not provide to other similar entities on request. (See AR 360-1, paras 3-1 and 3-2.)

A-2. The prohibition against supporting the goals of certain organizations applies to the use of military personnel, transportation, equipment, and facilities as well as membership. However, these limitations do not preclude Army participation in events such as:

- a. Widely publicized community events and activities of common interest and benefit of a nonsectarian nature, which are open to all, such as a 4th of July concert, even if held in a church or lodge. Avoid situations that may promote a private purpose.
- b. When the program is clearly patriotic or educational in nature, or is in support of recruiting programs.
- c. Special care must be used that shopping malls or centers are used only when the program is directly related to recruiting activities, the program is not advertised or does not appear to promote that mall, center, or a particular business, and use of these facilities is impartial. (See AR 360-1, para 3-2.)

A-3. Note that Army personnel, including members of the Delayed Entry Program, will not be used in roles such as ushers, guards, parking lot attendants, or in demeaning or inappropriate capacities to support unofficial programs conducted off military installations (AR 360-1, para 3-2).

A-4. In all situations, paragraph 4 of this regulation must be complied with.

A-5. When questions arise on whether participation in a non-Federal entity is permissible, consult the servicing Rctg Bde advertising and public affairs division, which will in turn consult with the brigade judge advocate or HQ USAREC (RCAPA-PA) and the Staff Judge Advocate.